

MINUTES OF BENTON COUNTY QUORUM COURT

December 20, 2012

A regular meeting of the Benton County Quorum Court was held on Tuesday, December 20, 2012 at 6:00 p.m. at the Benton County Administration Building, 215 East Central Avenue, Bentonville, Arkansas, pursuant to proper call and notice.

Deputy Clerk Janet Reaves called roll as follows:

13 JPs Present: King, Winscott, J. Harrison, Allen, K. Harrison, Jones, Hawkins, Sandlin, Douglas, Blaty, Curry, Carr, Moore

A legal quorum was present.

The presiding officer led the pledge of allegiance to the flag. Pastor Roger Joslin of All Saints Episcopal Church led the prayer.

CHANGES TO THE AGENDA:

JP Douglas made motion to move "Item A" to the end of the agenda, seconded by JP Jones.

Motion passed by unanimous voice vote.

MINUTES:

JP Douglas made motion to approve the minutes of the November 27, 2012 Quorum Court as distributed, seconded by JP Carr.

There being no discussion, a roll call vote was recorded as follows:

13 Yeas: King, Winscott, J. Harrison, Allen, K. Harrison, Jones, Hawkins, Sandlin, Douglas, Blaty, Curry, Carr, Moore

Minutes approved.

ELECTED OFFICIALS REPORTS:

None

COUNTY JUDGE'S REPORT:

County Judge Bob Clinard reported that: 1) they are continuing to work through a permanent solution to the EMS service in Benton County; 2) the Administration Building HVC unit was installed on December 8th with no problems; 3) he is continuing to explore possibilities for a new and modern court facility; 4) the Benton County Road Department is prepared for any snow and ice event; 5) Benton and

Washington County Intergovernmental councils have voted to disband the regional Haz-Mat response team and that future events will be handled on a locally cooperative basis; 6) the elected officials swearing in ceremony will be January 2, 2013, with the Benton County Quorum Court Organizational meeting to follow in the Quorum Court room; 7) the Arkansas Assembly will convene on January 14th and our Legislative Committee should monitor the progress closely, so we will know when and who to contact concerning our issues; 8) the property disposal report show that a salt and sand spreader was disposed of.

JP J. Harrison made motion to suspend the rules and read all ordinances and resolutions by title only, seconded by JP Curry.

There being no discussion, a roll call vote was recorded as follows:

13 yeas: King, Winscott, J. Harrison, Allen, K. Harrison, Jones, Hawkins,
Sandlin, Douglas, Blaty, Curry, Carr, Moore

Motion passed.

COMMITTEE REPORTS:

JP Dan Douglas announced that a Legislative Committee meeting will be held, January 15, 2013 at 6:00 p.m.

JP Steve Curry announced that a Transportation Committee meeting will be held January 10, 2013 at 6:00 p.m.

PUBLIC COMMENTS:

Bob Bland of Centerton expressed his concerns about the Night Hawk Shooting Range and stipulations that were placed on the business.

OLD BUSINESS

None

NEW BUSINESS

- (A) Moved to the end of the agenda.
- (B) Proposed Appropriation Ordinance Amending Appropriation Ordinance No. O-2011-67 (**2012** Benton County Budget) Appropriating Additional Monies and Authorizing Additional Expenditures in Department 02, County Clerk, Fund 010; Sponsor: JP Tom Allen

County Attorney George Spence read the proposed appropriation ordinance by title only.

JP Allen made motion to adopt, seconded by JP Jones.

There being no discussion, a roll call vote was recorded as follows:

13 yeas: King, Winscott, J. Harrison, Allen, K. Harrison, Jones, Hawkins,
Sandlin, Douglas, Blaty, Curry, Carr, Moore

Appropriation Ordinance duly adopted and assigned **No. O-2012-64.**

- (C) Proposed Appropriation Ordinance Amending Appropriation Ordinance No. O-2011- 61 (**2012** Benton County Budget) Appropriating Additional Monies and Authorizing Additional Expenditures in Department 27, County Coroner, Fund 010

County Attorney George Spence read the proposed appropriation ordinance by title only.

JP Allen made motion to adopt, seconded by JP Sandlin.

There being no discussion, a roll call vote was recorded as follows:

13 yeas: King, Winscott, J. Harrison, Allen, K. Harrison, Hawkins,
Jones, Sandlin, Douglas, Blaty, Curry, Carr, Moore

Appropriation Ordinance duly adopted and assigned **No. O-2012-65.**

- (D) Proposed Appropriation Ordinance Amending Appropriation Ordinance No. O-2012-61 (**2012** Benton County Budget) Authorizing a Transfer Between Categories and Line Items, Department 67, Jail Fund 010, to Department 05, Sheriff Fund 010; Sponsor: JP Tom Allen

County Attorney George Spence read the proposed appropriation ordinance by title only.

JP Allen stated this is to transfer funds from the Jail Fund, to the Sheriff's Department to purchase a truck.

JP Allen made motion to adopt, seconded by JP Carr.

JP Moore stated that this is probably a good purchase, but they need to follow the protocol that has been set, which requires any vehicle purchases that are not in the budget, to go through the appropriate committee process.

Sheriff Keith Ferguson stated that the purchase followed past practices, and that he believed the purchase order was filled out properly. He said that Sheriff-elect Kelly Cradduck picked out the vehicle and that Chief Deputy Don Townsend completed the paperwork for the purchase. He

said that Chief Deputy Don Townsend did exactly what he has done in the past and Deputy Townsend had no reason to divert from what he had done before.

Lengthy discussion was held on the Sheriffs purchase of a vehicle and the purchase order submitted to the Accounting Office before the purchase had been made, and whether protocol for the purchase approval had been followed.

JP Allen stated that the purchase order should have been submitted for approval in advance of the purchase, and that Comptroller Sarah Daniels had done her job.

There being no further discussion, a roll call vote was recorded as follows:

13 yeas: King, Winscott, J. Harrison, Allen, K. Harrison, Hawkins,
Jones, Sandlin, Douglas, Blaty, Curry, Carr, Moore

Appropriation Ordinance duly adopted and assigned **No. O-2012-66.**

- (E) Proposed Appropriation Ordinance to Establish the Benton County Annual Operating Budget for the Calendar Year 2013; Sponsor: JP Tom Allen

County Attorney George Spence read the proposed appropriation ordinance by title only.

JP Moore made motion to adopt, seconded by JP Sandlin.

JP Allen stated that he wanted to remind the court that the Inspector position that was approved for Centerton will not be filled, but the revenue is still in the budget. He stated that he had talked with Comptroller Sarah Daniels and it has been noted, that if they want to fill that position, they must appear before the court.

There being no further discussion, a roll call vote was recorded as follows:

13 yeas: King, Winscott, J. Harrison, Allen, K. Harrison, Hawkins,
Jones, Sandlin, Douglas, Blaty, Curry, Carr, Moore

Appropriation Ordinance duly adopted and assigned **No. O-2012-67.**

- (F) Proposed Appropriation Ordinance Amending Appropriation Ordinance No. O-2012-61 (**2012** Benton County Budget) Authorizing a Transfer of Funds Between Categories and Line Items; Department 10, Circuit Court, Division V, Fund 010: Sponsor: JP Tom Allen

County Attorney George Spence read the proposed appropriation ordinance by title only.

JP Allen made motion to adopt, seconded by JP J. Harrison.

There being no discussion, a roll call vote was recorded as follows:

13 yeas: King, Winscott, J. Harrison, Allen, K. Harrison, Hawkins,
Jones, Sandlin, Douglas, Blaty, Curry, Carr, Moore

Appropriation Ordinance duly adopted and assigned **No. O-2012-68.**

- (G) Proposed Appropriation Ordinance Amending Appropriation Ordinance No. O-2012-61 (**2012** Benton County Budget) To Amend *Schedule 1 – Revenues* by Fund and Authorizing a Transfer Between Categories and Line Items from General Fund 010, to Road Fund 020 and Authorizing Expenditures Listed Herein to Account for Transfers Made During the Budget Year 2012; Sponsor: JP Tom Allen

County Attorney George Spence read the proposed appropriation ordinance by title only.

JP Allen made motion to adopt, seconded by JP Sandlin.

There being no discussion, a roll call vote was recorded as follows:

13 yeas: King, Winscott, J. Harrison, Allen, K. Harrison, Hawkins,
Jones, Sandlin, Douglas, Blaty, Curry, Carr, Moore

Appropriation Ordinance duly adopted and assigned **No. O-2012-69.**

- (H) Proposed Appropriation Ordinance Amending Appropriation Ordinance No. O-2011-61 (**2012** Benton County Budget) Appropriating Additional Monies and Authorizing Additional Expenditures in Department 19, Accounting/HR, Fund 010, and Department 04, Treasurer, Fund 045; Sponsor: JP Tom Allen

County Attorney George Spence read the proposed appropriation ordinance by title only.

JP Allen made motion to adopt, seconded by JP Jones.

There being no discussion, a roll call vote was recorded as follows:

13 yeas: King, Winscott, J. Harrison, Allen, K. Harrison, Hawkins,
Jones, Sandlin, Douglas, Blaty, Curry, Carr, Moore

Appropriation Ordinance duly adopted and assigned **No. O-2012-70.**

- (A) Proposed Resolution Declaring a Vacancy in the Office of Justice of the Peace, District No. 2 for Benton County: Sponsor: JP Tom Allen

County Attorney George Spence read the proposed appropriation ordinance by title only.

JP Allen made motion to adopt, seconded by JP Hawkins.

There being no discussion, a roll call vote was recorded as follows:

12 yeas:	King, J. Harrison, Allen, K. Harrison, Hawkins, Jones, Sandlin, Douglas, Blaty, Curry, Carr, Moore
1 abstain:	Winscott

Resolution duly adopted and assigned **No. R-2012-26.**

OTHER BUSINESS:

JP Douglas stated that with the passage of the statewide 1/2¢ sales tax, Benton County is slated to receive about \$1.2 million a year over a ten-year period to be used only for roads and bridges. He said the state is going to bond its sales tax money to build roads up front. He stated that even though the county is prohibited from bonding its sales tax money, there is money sitting in reserves that is not being used. He stated that the county could draw up a five-year road plan, use the reserve funds to improve our roads, and then pay back the funds with the sales tax revenue. He stated this is something to be considered, and that he has asked the state to look into the details of the proposal and see if any legislative action is needed to authorize the county to take that course.

Plaques were presented to the outgoing Justices of the Peace in recognition for their service to their respective districts, and a group picture was taken.

ANNOUNCEMENTS:

JP Carr announced that a Public Safety Committee meeting would be held on Monday, January 7, 2013 at 6:00 p.m.

JP Allen announced that a Finance Committee meeting would be held on Thursday, January 3, 2013 at 6:00 p.m.

ADJOURNMENT:

There being no further business to come before the court, upon motion and second the meeting adjourned at 7:07 p.m.

Respectfully submitted,

Tena O'Brien
County Clerk

Prepared by: Janet Reaves